

REMARKS

The application has been amended and is believed to be in condition for allowance.

The indication that claims 3, 4, 7-13, and 130-132 would be allowable if rewritten in independent form is acknowledged with thanks. Applicants also gratefully acknowledge the indication that claims 113, 117, 121, 133, and 138 are allowable if the rejection under 35 USC §101 is overcome.

Claims 1 and 143 are cancelled without prejudice.

The Official Action states that no English translation was found with the IDS filed on October 7, 2005, either on Public Pair or the PTO. Applicants note that Private Pair contains a document, listed as "NPL Documents", entitled Reference Citation List wherein an English translation is presented followed by a Japanese reference with translated portions circled and marked. Consideration of these references and an initialed PTO form is respectfully requested.

The Official Action rejected claims 1, 113, 117, 121, 126, 133, 138, 143 and dependent claims under 35 USC §101 stating that the claims are directed towards non-statutory subject matter. The Official Action states that applicants must claim that the functions are performed in hardware, in line with the instant specification, including processors, and or computer readable medium.

In response, claims 113, 117, 121, 126, 133, 138 have been amended to obviate the rejection under 35 USC §101. Reconsideration and withdrawal of the rejection are respectfully requested.

The Official Action rejected claims 1, 126, and 143 under 35 USC 103(a) as being unpatentable over LACHMAN III, et al. (US 2002/0166063) in view of SHEYMOV et al. (US 7,010,698), hereinafter LACHMAN and SHEYMOV, respectively.

As to claims 1 and 143, claims 1 and 143 have been cancelled as indicated above.

As to claim 126, it is respectfully submitted that claim 126 recites claim 9 in independent form, including all of the recitations of the base claim 1. Therefore, claim 126 is believed to be patentable.

From the foregoing, it will be apparent that applicants have fully responded to the February 5, 2008 Official Action and that the claims as presented are patentable. In view of this, applicants respectfully request reconsideration of the claims, as presented, and their early passage to issue.

In order to expedite the prosecution of this case, it is requested that the Examiner telephone the attorney for applicants at the number set forth below if the Examiner is of the opinion that further discussion of this case would be helpful.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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